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DISCOURSE.

BY

THOMAS I. WHARTON.

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DELIVERED BEFORE

THE ALUMNI

OF

THE UNIVERSITY OF PENNSYLVANIA,

AT THEIR FIRST ANNUAL MEETING,

On the 14th of July 1836.

BY

THOMAS I. WHARTON.

PHILADELPHIA:

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“ University of Pennsylvania, March 22, 1836.

“ At a meeting of the Executive Committee of the Association of the Alumni of the University of Pennsylvania, held on the 21st instant, for the purpose of choosing an Annual Orator, THOMAS I. WHARTON, Esquire was unanimously appointed to deliver the first Annual Address before the Alumni, on the day previous to the next Annual Commencement (July 14, 1836).”

“ July 15, 1836.

“ At a meeting of the Alumni of the University of Pennsylvania, held yesterday afternoon, THOMAS BIDDLE, Esq. was called to the Chair, and Professor REED appointed Secretary.

“ On motion of Dr R. M. PATTERSON, seconded by Judge PETTIT, it was unanimously resolved, that the Secretary be requested to communicate to THOMAS I. WHARTON, Esq. the thanks of the Association of the Alumni for his valuable and impressive Discourse delivered before them this day, and to request a copy of the same for publication.

“ HENRY REED, Secretary.”

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DISCOURSE.

Gentlemen of the Alumni Association.

WE are assembled on the eve of the Eightieth Commencement of this University, to celebrate the Anniversary of our entrance upon the great stage of public life, and to welcome the advent of another class to our ranks, and the addition to the country's stock, of a fresh band of educated and accomplished men. It is perhaps a little remarkable that this is the first instance in which the Alumni of the University of Pennsylvania have assembled for the purpose. The age of our *alma mater*, venerable at least in the chronology of this country, if she had no other claims to our regard, would entitle her to the usual demonstrations of respect, and the exhibition of those pious offices, which have been customary in other places and for other institutions. There is something, in the idea of the dispersed of all ages, professions and pursuits, gathering back again at stated intervals to the halls where they had imbibed instruction and contracted friendships, which, in its resemblance to those household meetings where the children of one family come together again after the lapse of years and the separation of climates, is affecting, and, it may be, edifying. There are brought together on these occasions the survivors of a far distant period, here and there one, or perhaps two of a class; the more numerous representatives of the middle ages; those who have just put forth from the inlet into the great ocean; successive genera-

tions, as we all continue to be, of scholars; those who have drank at the blessed fountains of domestic and scholastic knowledge, and those who have been constrained to draw from the deep and bitter well of this world's experience.

Whatever may have been the circumstances of their early life, and however their lot may have been cast in after years, I believe that there are few persons, of ordinary sensibility, who do not, in the recollection of school and college hours, feel that it was their May of life; upon which even in the summer of their days they look back with the conviction that all the world then yields, and all that it may have in store for them, avails little in comparison with the freshness of that season of seasons, which, for them, is never to return again. Yet, gentlemen, there are wanting with us, some of the links which connect the past with the present. Such is the progress of what is called "improvement" in this country (and certainly in many respects it is truly so called), that the influence of local associations or attachments is almost wholly unknown. Nothing in this part of the world is allowed to grow old; or, at all events, our antiquity is of a different cast from that of Europe. We have no ivy-mantled towers or time-honoured walls; few spots consecrated by poetry, or endeared to us by recollections. Every thing that man has erected, must by man be periodically pulled down, or reformed, or enlarged, or in some way altered to suit the changing taste of the times; and even the face of nature, so to speak, is daily undergoing alterations, to make room for buildings and streets, or to accommodate the unpoetical levels of canals and railroads. The English engineer, who, about half a century ago expressed the opinion that rivers were made by the Almighty for the purpose of feeding navigable canals, was merely in advance of his age. At the present time such a declaration would be common-place, however it might startle the Naiads of

classical poetry. In our philosophy, the only question is, how the space between two points can be best annihilated. The line of beauty is any thing but a curve; and the windings of a river are regarded as evidence of the ignorance and want of foresight of dame Nature. To this spirit of improvement it is owing that we, whose *alma mater* is the University of Pennsylvania, must be content with abstract and spiritualized affections; and that in coming together on this occasion, most of us look in vain for those material objects with which our collegiate recollections are associated. Within my own remembrance there have been three several edifices successively the seat of the University, and the resort of its students. The old building in Fourth street, which wore something of the grave and reverend aspect of a seat of learning, and both from its east and west front looked down upon the depositories of the dead; the more modern and stately edifice which was designed for the residence of the chief magistrate of the republic, but never actually occupied by that functionary; and the present recent erection, which is doubtless better fitted for the purposes of instruction, whatever may be its architectural beauty. We come here, therefore, gentlemen, with reminiscences of the scenes of our collegiate life as various as the buildings in which it was passed; but with, I hope, grateful recollections of the venerable men, who, in their several departments, laboured to impress upon us the lessons of truth and wisdom; and with a common desire for the prosperity and success of the institution, and an earnest prayer that our children and those who are to come after us, may, whatever be its local habitation, find within its walls that treasure, which, in the words of the inspired writer, is "more precious than rubies."

The sentiment which three thousand years ago was expressed by one who earned the title of the "wisest of

men," has, in substance, been acknowledged and repeated by the philosophers and moralists of pagan lands, and received the crowning sanction of our Christian faith. It may be profitable, as it is certainly german to the present occasion, to inquire how far we have in Pennsylvania recognised the cardinal truths of instruction, and made them a governing principle in our legislation and morals.

I propose, then, to ask your attention for a few minutes to some remarks on the progress of learning in this commonwealth, and to suggest some views in relation to what appear to me to be defects in the prevailing systems of Education.

I need not remind you, gentlemen, that *our* pilgrim fathers were behind none of the English race in anxious efforts for the mental and moral improvement of their children. Before they set out from home, on their perilous enterprise, bound to a wild and far distant country, the clearing and cultivation of which would seem to require all their time and all their energies, they yet laid down a fundamental law for the promotion of learning and the arts; stipulating, in express terms, that "the governor and provincial council shall erect and order all public schools, and encourage and reward the authors of useful sciences and laudable inventions in the said province." This was sufficiently remarkable for a community which consisted mainly of men of the middle class; farmers, tradesmen, and mechanics; but then they were of the middle class of *England*; and, withal, an old fashioned, God-fearing race, as scriptural in their ideas and opinions as in their language and names. We find a more striking instance of their devotion to the cause of knowledge in a law passed a very few years after their landing upon this soil; which, after declaring that "instruction in good and commendable learning is to be preferred before wealth," enacted that

all children within the province should be instructed in reading and writing, "so that they might be able at least to read the Scriptures;" made it the duty of the several county courts to see that this injunction was strictly complied with; and imposed a penalty of five pounds upon every parent, guardian or overseer, being of sufficient estate and ability, for every child not thus educated, "except there should appear an incapacity in body or understanding to hinder it." Such were the early regulations of the simple, but true-hearted people, who came over with Willian Penn to this land of refuge. You see that without any expense of sentiment, or any display of figures, or any of the maxims of political economy, they, in a few words, ordained universal education, and compelled obedience to the requisition by the sanction of the penal law. How it happened that these salutary provisions, which made instruction compulsory, were departed from, I have not been able to ascertain.

In the early years of the province, it is probable that the necessity for more than elementary learning was not often very apparent. The officers of government, and the public men of those days received their education in England, the place of their birth; and of those who were born here, many had been sent to Europe for instruction. Yet you will find that the Latin language and the mathematics were taught in Philadelphia "in the Friends' public school," at the very beginning of the last century; and there are extant some tolerable specimens of verse, composed by a Pennsylvanian poet of that day, in the language, though not exactly in the style, of Virgil and Horace.

It was in the year 1743, gentlemen, just sixty years after the foundation of the colony, that Dr Franklin, to whose ingenious mind and admirable good sense, this nation, and especially the citizens of this place, are so

largely indebted, suggested the idea of an academy, and prepared a plan for the purpose, which, a few years afterwards, ripened into actual existence; the principal citizens of Philadelphia subscribing, “in the humble hope” (as they worthily expressed it) “that through the favour of Almighty God and the bounty and patronage of pious and well disposed persons, it might be of great and lasting benefit to the present and future generations.”

Such was the origin of that Institution at whose breast we have been nurtured. It is not my purpose on this occasion to enter into her annals, or to describe her present condition, or to advert to the course of study pursued within these walls. The history of the university has been well and adequately written by one of our brethren, who now occupies a distinguished place in the medical department. A few passing remarks, however, may be permitted to me, which occur upon looking over those annals.

And, in the first place, one is struck with the liberal contributions made here and elsewhere, for the endowment of the college. In the year 1743, the city of Philadelphia contained not more, probably, than 12,000 inhabitants—certainly not a twelfth part of its present number. In respect to wealth, the increase has probably been still greater. Yet we find that upwards of 2000 pounds were subscribed at the outset by the gentlemen who projected the institution; and in the course of a very few years the amount of benefaction was upwards of 7000 pounds sterling—equal to at least 40,000 dollars of our money! Whether the liberality of Philadelphia has kept pace with its increasing wealth and population, is a question which I shall not here decide. Besides these considerable donations, the descendants of the Founder, who seem to have been generally disposed to encourage learning and the arts, contributed in money to the amount of about 12,000

dollars, and added a grant of three thousand acres of land in Bucks county. In 1762 the provost of the college was sent to England to solicit subscriptions. In that noble country, from which we have derived every thing that is valuable in our institutions and literature and national character, he obtained subscriptions to the amount of 30,000 dollars! In the final reckoning, as Dr Franklin would say, which will take place between the mother country and her children, this and similar instances of liberality in aid of the cause of literature, science and religion will surely not be forgotten.

It is worthy of remark, also, that the average number of students and graduates seems to have been greater before the revolution than it has been since. It appears that only two years after the date of the charter, the number of pupils in the institution amounted to about three hundred, of whom one third were members of the collegiate department. Looking at the population and resources of the country at that period, these facts furnish convincing evidence of a most commendable spirit in our predecessors; and if we compare the proportion of students with that of the existing population, it leaves us no great reason to think that "the march of mind" has been favourable to the cultivation of sound knowledge in this region; since it is believed that there has been no falling off in the learning and abilities of the teachers. It must be borne in mind, however, that it was then, much more than now, the custom for the young men of the southern states, and of the West Indies, (the inhabitants of which had contributed liberally to the endowment of the college) to receive their general education here. Of late years the disposition in this country seems to be to break up every thing into fragments. Instead of central and competent institutions, adequately furnished and endowed, at which the languages, and arts, and sciences, may be thoroughly

and extensively studied, so as to bear some comparison with the European system, the fashion is to establish an university, as it is called, in every state; and as the means do not exist, or are not provided for so many complete institutions, we have a series of abortive or imperfect creations, with high-sounding names, half-paid professors and half-taught students—" *magnæ nugæ, magno conatu.*" The next step in the progress of this fancied independence, is a jealousy of the influence of the seats of learning in the individual states, and the establishment of similar institutions in every county; and from that to "every man his own college or academy," the transition is easy. This centrifugal tendency, which manifests itself in many other instances in our national character, seems to be likely to deprive us of the advantages of those great establishments, for the cultivation and diffusion of learning, which are found in Europe. It may well be doubted whether adequate institutions for this purpose can be maintained in every state. The existence, for any valuable purpose, of a college of students in the primeval woods of this country, (not *inter sylvas academi*, but with the disorders and dangers incident to a new country) is not in the catalogue of probabilities; and I believe that experience has thus far shown the fallacy of the notion.

Another cause of the reduction which took place in the number of pupils in this University, is to be found in the troubles of the revolution, which doubtless produced a similar effect upon other literary institutions on this continent. Amid the conflict of war and in the turbulence of party spirit, learning and science find neither nourishment nor support. Their soil is security, and their atmosphere peace. There were circumstances, however, connecting the annals of this University with the revolutionary history of Pennsylvania, which left an impression on the institution beyond the existing

crisis; and which it may be profitable to mention, on account of the useful moral they afford, and because they are probably not familiar even to those whose business occasionally requires them to examine the graves of former legislation. During the early periods of the revolution, the government of the College and Academy, as the institution was then called, was in the hands of persons some of whom were supposed to be unfriendly to the cause of independence. No evidence, I believe, was ever given of any overt act, or even of the exertion of any official influence, on the part of the trustees, adverse to the existing government. The case was brought before the legislature, however, in 1779, which then consisted of a single assembly or chamber; and it was alleged that the trustees had, by a certain resolution adopted in the year 1764, fifteen years previously, "departed from the plan of the founders, and narrowed the foundation of the institution," (such were the words of the charge) the doors of which had been open, both for teachers and pupils, to all the varieties of the Christian faith. Nothing could be further from the fact than this allegation. The records of the University prove, beyond the possibility of mistake, that, so far from narrowing the foundation, the trustees, in compliance with both policy and duty, and in conformity with the suggestions contained in a joint letter from the archbishop of Canterbury and a leading minister among the Dissenters, had resolved to continue the administration of their affairs on the broadest basis of liberality; and no instance could be pointed out to the contrary. The old fable was however to be revived. The stream was muddy; and literature stood no chance in a contest with politics. On the 27th of September 1779, an act was passed which annulled the charter granted by the proprietaries, and transferred the property and possession of "the College

and Academy," to a new institution established by the same act, and styled "the University of Pennsylvania." The law thus passed, and which, I regret to say, was adopted by an overwhelming majority, recited, that "seminaries of learning, when properly conducted, have been public blessings to mankind; and that, on the contrary, when in the hands of dangerous and disaffected men, they have troubled the peace of society, shaken the government, and often caused tumult, sedition and bloodshed." It then proceeded to declare that the trustees, by their resolution which I have mentioned, had "narrowed the foundation of the Institution"; and, *therefore*, it enacted that the rights and powers of the existing trustees should cease, and the privileges and franchises be transferred to the new corporation.

This, gentlemen, was the *first*, and is, I believe, the *only* instance, in which the legislature of Pennsylvania has ventured to abrogate a charter, or interfere with vested rights. Now let us see what followed this unrighteous proceeding. Observe how surely and certainly, when the ideas of moral duty have any hold upon the community, reason or conscience resumes its sway, and the oppressed and exiled are restored to their rights by the returning tide of justice. On the 6th of March 1789, the legislature of Pennsylvania enacted another law, which—after reciting a provision in the constitution of the state for the encouragement and protection of religious, literary and charitable corporations, and enumerating the charters granted by the proprietaries to the Institution, and reciting also (I here use the words of the act) "that whereas by the act of the 27th day of September 1779, the said trustees and corporators, and also the provost, vice-provost, professors, and all other masters, teachers, ministers and officers of the said college, academy and charitable school, were, without trial by jury, legal process, or proof of misuser or forfeiture, deprived of their

said chartered franchises and estates, and the said board of trustees and faculty were declared to be dissolved," &c., &c., "all which is repugnant to justice, a violation of the constitution of this commonwealth, and dangerous in its precedent to all incorporated bodies, and to the rights and franchises thereof"—proceeded to repeal so much of the act of 1779 as was repugnant to the charters, and restored to the College and Academy all the estates, possessions and rights which had been transferred to the new institution.

Now, gentlemen, you perceive, that even the short and uneventful history of our University affords examples from which statesmen and politicians may derive some useful lessons. They may learn from it the danger and folly of interfering with chartered rights. In the present age it is not an uncommon thing to hear men speak of charters and acts of incorporation as a sort of bounty, which may be resumed by the legislature at their own pleasure, and with as much freedom as the executive removes from office a functionary dependent upon his will. Gentlemen, you may rely upon it, that this is a grievous error. There is no such anomaly in the political code as that which would authorize the sovereign, whether he be one person or a collection of individuals, to violate a contract, without adequate compensation, whenever he chooses to consider it inconvenient to himself. I say such a doctrine would be anomalous, because the political code can never, with safety to itself, be at variance with the moral creed. The *municipal* law is in the power of the sovereign for the time being, who may compel it to speak what language he pleases, if there be no paramount constitution to control him ; but the great *moral law* is not to be invaded with impunity. There is an abiding sense of justice in all Christian communities which will not suffer wrong to be triumphant for any considerable period, but is sure to

work out ample redress for the injured, and ample atonement for the public wrong. Party zeal and discipline may force their way through the barriers both of the constitution and moral right, and the leaders may enjoy a short-lived triumph ; but they may live to find themselves placed on the record of their country's history with no enviable notoriety, and to witness the restoration to their rights of those whom they would have despoiled or proscribed. I have said that the history of Pennsylvania affords no other instance of the repeal of a charter in opposition to the wishes of the corporators. It will be remembered that there was previously to 1789 no federal constitution to forbid the violation of contracts, and no federal judiciary to enforce the prohibition. It deserves to be mentioned, to the credit of the legislature of that year, that its action on the subject was purely spontaneous, and appears to have been dictated by no other feelings or motives than those expressed in the preamble to the act.

Not long after the repeal of the unconstitutional law of 1779, the two institutions were happily united under the title of the University of Pennsylvania ; and an act of the legislature ratified and confirmed the union : since which time its history is doubtless sufficiently familiar to most of those who hear me, and affords few topics of distinctive importance.

I have not been able to obtain access to a complete list of the *alumni* of this University. Looking over an imperfect catalogue of them, I see the names of some of the foremost men of the revolution : I find many who took a prominent part in the establishment or support of the constitution, or who have been since that period distinguished in political or professional life.—I have no intention of enumerating even the principal of these eminent persons ; but I hope that one of the first operations of our society will be to print a complete and cor-

rect list of the graduates, with the date of the several commencements, and the period of the death of each, where this has taken place. Without meaning to dwell upon this subject, I may be permitted however to mention one or two only of those whom it is our privilege to consider as brethren who have drawn their sustenance from our common mother.

The very first scholar who entered the college at the opening of its doors, and one of the seven who received the degree of bachelor of arts at the first "commencement," was *Francis Hopkinson*, distinguished for his genius and accomplishments; to whose *pen* the independence of the country owes more than to the *swords* of many who perhaps stand higher in the temple of fame; who contributed largely, by his writings, to the success of the present constitution of the United States, and who, at the time of his death, held the honourable office of judge of the district court of the United States, to which he had been appointed by President *Washington*.

He was succeeded in that post by another eminent alumnus, a graduate of the year 1761, celebrated, like his predecessor, for wit and abilities, and for his civil services in the war of the revolution.

Upon the decease of this venerable man, the office was filled by its present incumbent, another of our brethren, "a scholar, and a ripe and good one," of whom any institution would have reason to be proud; who unites hereditary genius and taste and accomplishments, with professional learning; and while giving unremitting attention to the duties of his high and arduous office, is yet active and earnest in the advancement of science and the arts.

There is one other living individual, gentlemen, (I trust I may yet say living*) among the graduates of

* Bishop White was, at the time of the delivery of this discourse, extremely ill, and died on the following Sunday.

the University, whom I cannot think of without being persuaded that Providence has vouchsafed to us a prolonged period of his existence, as an offset and an example for a most sordid and selfish age. No man of right feelings can look at that life of eighty-eight years—to the “unsullied mitre” which for nearly half a century has adorned that venerable head—to the beautiful, and alas! old fashioned simplicity of his character, without being grateful for every hour that he is spared to us. For my part, gentlemen, I think it one of the chiefest glories of this city and of this University, to have produced and nurtured such a man as BISHOP WHITE. *Multa munitum virum vi, nihil tamen præclarius.* Coleridge has remarked that it would take a great many Newtons to make one Milton. The merit of the particular comparison may perhaps be questioned, and the truth of it will be denied by many; but when we reflect how numerous great men are in this country, we may at least be led to believe that nature produces many more politicians and warriors than men of the stamp and character of our venerated associate.

I turn from these imperfect sketches of the history of our University to the subject of *Education*, of which she is or ought to be the head, in this commonwealth.

Let us inquire for a few minutes what has been done to promote the cause of instruction in Pennsylvania, and what remains to be done for this purpose. And in reference to this last topic, I shall offer some suggestions upon what appear to me to be defects in the prevailing systems.

I fear, gentlemen, that a comparison of the very early history of Pennsylvania, with more modern times, in respect to education, will not redound to the credit of the latter, and that we shall find in this, as well as in some other points, that the wisdom and liberality of the pre-

sent generation are not so much ahead of the past, as they have credit for. I have already adverted to the careful provision on this subject made by the first settlers, even before they left England, and to the law making the duty of education imperative upon parents and guardians. Other provisions of the same period indicate the deep sense entertained by the legislature of their obligations to society in this respect. Thus we find in the earliest constitution, that the provincial council was to be divided into committees, one of which was styled "a Committee of Manners, Education and Arts—that all wicked and scandalous living may be prevented and that youth may be successively trained up in virtue and useful knowledge and the arts." So, among the first acts passed at Chester, and composing that code which is now known by the name of "the great law," is a provision that "the laws of the province shall be published, so that every person may have the knowledge of them," and a singular, but as I shall presently remark very important enactment, "that they shall be one of the books taught in the schools of the province." And in the writings of our great lawgiver, abundant evidence is to be found of his conviction, that nothing in the range of the public duties of government was of greater importance than the instruction of the people.

The literature of the ante-revolutionary period, and the character of the public men of that era, and of the revolution itself, prove that considerable attention had been paid to the dissemination of learning and the cultivation of letters.

The constitution of 1776 provided, with sufficient emphasis, that "a school or schools shall be established in every county by the legislature, for the convenient instruction of youth, with such salaries to the masters, paid by the public, as may enable them to instruct youth at low prices; and all useful learning shall be

duly encouraged and promoted in one or more universities." I have not been able to discover that any effort was made to enforce the injunction contained in the first clause of this paragraph.

The constitution of 1791, with less directness and precision, declared that "the legislature shall, as soon as conveniently may be, provide by law for the establishment of schools throughout the state, in such manner that the poor may be taught *gratis*;" and also that "the arts and sciences shall be promoted in one or more seminaries of learning." The distinction taken in the clauses last mentioned between *common schools* and "*seminaries of learning*," appears to have been in some measure kept in view, since the adoption of the present constitution. A cursory examination of the acts of assembly will show, that numerous laws have been passed, having reference to the general education of the children of the people; and very considerable sums of money appear to have been disbursed from the state treasury in the foundation or support of "*colleges*" and "*academies*" throughout the commonwealth. Probably the gross amount of money given by the legislature to these institutions (I do not of course include this university) will be found, on examination, to be very large. I fear, gentlemen, that the harvest has not every where been in proportion to the expenditure of the husbandman. There is reason, I apprehend, to believe, that the standard of education throughout this commonwealth, taking together all classes and conditions, is lower than in some other portions of the union. There are, I have reason to think, parts of our population among whom the grossest ignorance prevails, even of the first elements of knowledge—valleys upon which, it would seem, that the sun of learning and religion has never dawned. That the system, if such it be called, that has heretofore prevailed in regard to common schools is imperfect and

unsatisfactory, has long been admitted. The efforts recently made to improve the method of instruction and enlarge the sphere of its blessings, reflect great credit on the enlightened and excellent men who have engaged in them, and give us reason to hope better things for the "internal improvement" of our commonwealth. It appears to me, however, that until the compulsory provision of William Penn's time is restored, and the system assimilated to that of the eastern states, it will be in vain to hope for effectual and general cultivation of the mind. In the course of some professional reading, I lately met with a case in a volume of New England Reports, to which it would be difficult to find a parallel in any other community. At a circuit court of common pleas for the county of Norfolk, in the state of Massachusetts, at the term of April 1817, an indictment was found by the grand jury, which, from its novelty and importance, I have copied here at length.

"The jurors, &c.," (these are the words of the indictment) "on their oaths present that the town of Dedham, in the county of Norfolk, on the 26th of April in the year 1816, and from that time to the 26th of April 1817, did contain, and still doth contain, two hundred families and upwards; and that the said town of Dedham did, during all the time from the said 26th of April 1816 to the 26th of April 1817, neglect, and still does neglect, the procuring and supporting of a grammar schoolmaster of good morals, well instructed in the Latin, Greek and English languages, to instruct children and youth in said languages; which is in subversion of that diffusion of knowledge, and in hindrance of that promotion of education, which the principles of a free government require, and which the constitution of the commonwealth enjoins."

The defendants, who were the inhabitants of the town generally, were found guilty of this high political offence,

although they proved that they had employed, during two months in the year, a graduate of Harvard college and a student of divinity; that during four other months of the same year they had employed other competent teachers of the Latin, Greek and English languages, and during other portions of the year they had employed English teachers; and that they had, in the course of the year, expended upon public schools the sum of 2000 dollars! The conviction was affirmed in the supreme court of the state upon appeal, because the requisitions of the law had not been strictly complied with!

Now, gentlemen, when the failure to educate all the children of *this* community is made an *indictable offence*, as in *Massachusetts*, and we shall come to witness the enforcement of the law after the fashion of the case I have cited, then we may hope to see the light of knowledge diffused throughout *Pennsylvania* to the same extent, and the general intellect improved in the same degree as in that great and distinguished commonwealth.

But it is not merely in reference to its *extent* and *diffusiveness*, but its *character* and *breadth*; not in reference to its *quantity* only, but its *quality*, if I may so speak; that education is of such momentous importance in a republic: and I wish to be understood as applying this remark to all the steps and degrees of learning, from the primary schools up to the colleges and universities.

Now there are some points in which it appears to me that modern education, in this country, is materially defective; and others, in respect to which, according to my apprehension, a great deal of valuable time is wasted. The necessary limits of a discourse like the present prevent my enlarging upon this fruitful subject, and all I can do at present is to indicate one or two of the principal defects to which I have alluded.

And first and principally I hold, that no system of education which does not inculcate and insist upon the

great truths of religion, and the essential doctrines of the moral code, can be considered as complete or deserving of the public support in this country. Depend upon it, gentlemen, if there is one truth well established by the history of mankind, it is the utter impossibility of laying any other safe foundation than that of religion. If any man fancies that communities can be held together without the cement of religion, I can only say that he has read the history of the world and studied the character of man to very little purpose. I have no doubt of the truth of this position, whatever may be the form of government; but I confine myself at present to communities possessing free institutions, in which the people have a share, more or less, in the making and administration of the laws. Of such, all experience shows, that unless there is a sense of moral and religious duty pervading the whole body, in all its parts, and animating and controlling all its functions, there can be no reason to hope for an orderly or a happy society.

I am aware that there is a class or school of philosophers who contend that education ought to consist in the inculcation of the arts of reading and writing merely, and who maintain that if the intellectual powers are cultivated, every thing that is right, and proper, and virtuous, and convenient will follow of course; in other words, that it is sufficient to plough without sowing; the spontaneous growth of the mind being, according to their theory, something like that of the soil of the golden age; when, according to the poet,

....."Immunis, rastroque intacta, nec ullis
Saucia vomeribus, per se dabat omnia tellus."

The favourite and reiterated maxim of this school is that man is governed too much; that the system of restrictions and control is as injurious to the human intellect as it is supposed to be to the interests of trade; in

short, that the youth of the country have a right to take the benefit of that celebrated saying, "*Laissez nous faire*," which we so often meet with in the books of political economy.

Now, gentlemen, there is at least *one* serious objection to this theory; and unless some great revolution has taken place in philosophy, it is a fatal defect. The experience of all mankind, in all ages of the world, is against it. For brilliant and plausible as these notions are, and flattering to our human nature, they certainly have not the recommendation of novelty. Ages ago they were tried, and found wanting; and ages hence, I have no doubt, the result will be the same; unless it shall please Providence to alter the constitution of our nature. For, gentlemen, men have not lived upon the earth six thousand years without exhibiting some general features of character; generation after generation has not gone down to the tomb without leaving some memorials behind them. Their united testimony, in every age and in every climate, confirms the doctrine of our religion in respect to the tendencies of the human heart. Those holy writings in which the history and the character and the destiny of our race are developed by inspired pens, teach us, what no man who has looked around or within himself can conscientiously deny, that there is in all men an innate disposition to evil; I mean to the gratification of self, and the promotion of self interest, no matter how it may injure or prejudice others. This extremely natural propensity is visible and active in the earliest stages of childhood, and enlarges with the sphere and urgency of human wants and desires. It requires for its control and regulation all that domestic authority and counsel can exert, in the first instance, and afterwards, all that the law and the Gospel can bring to bear upon it. How vain then is that philosophy which from such materials would seek to construct a perfect and

self-poised being. How false must be that doctrine which would sharpen the wits, without softening the hearts of men; which leaves the field to the uncontrolled operations of the human will; which sows the wind without thinking of the whirlwind. The "enlightened self interest" of which we hear so much, is but a poor equivalent for the religious and moral sense. It makes all duty a matter of calculation merely; and with the pleadings of the inner man on the side of present interest, who can doubt of the result in the great majority of cases? No one, I repeat, who is willing to take his lessons from the school of experience, and who will divest himself of the pride of theory, can hesitate in respect to the necessity of religious instruction in a democratical community.

Gentlemen, no man in his senses pretends to believe that society can be held together without some laws to regulate and restrain the actions of men; but there is a prevalent idea that the fewer the laws the better for the community; and there are some who believe that with the progress of mental improvement, the people will come to obey and support them, from the mere influence of reason.

As to the number of the laws, and the administration of justice, I shall have something to say presently; but in respect to the power of mere human reason, I, for one, very much doubt, whether the time will arrive for any community, when every man will be upon the same level in point of fortune and comfort; or, which is the same thing, perfectly contented with his lot and indisposed to invade that of others. Without invoking the authority of Scripture, which declares that the poor will be always with us, we may see in the unchanging order of nature, in respect to our physical and intellectual capacities, enough to satisfy us on this point. We may rely upon it, that there will always be, in every

community, a number of persons, more or fewer according to particular circumstances, who are discontented with the established order of things; to whom "the world is not their friend nor the world's law;" and who, if left to the dictates of natural reason, would break down or evade that law, whenever the chances of escape from the civil power appeared to be greater than the chances of punishment.

But this is not all; *every* law is a restraint upon human action. This is more obviously true of those rules which compose the *criminal code*; but it is not less so of those which regulate the disposition of property and the intercourse of business and trade. Against the law, then, there is a wave perpetually beating: it is the current of self interest of the whole community, which the law sometimes closes up and sometimes merely confines within narrower channels.

And what is this *Law* which is to possess the power of resisting a pressure so great and so constant? In countries governed upon the monarchical principle it rests upon the strong and intelligible foundation of force. A standing body of armed men is maintained for the purpose of upholding and enforcing the laws. In a republic like ours, no such aid can be invoked. If there were nothing to moderate or attract the popular tide, it would soon sweep away all the barriers which the temporal law could erect. It is here then that religion comes with healing on her wings, and penetrates where human laws can never reach. It is religion alone which searches the heart and instructs the conscience, while from her lofty eminence she governs the tides of the human will. It is the sense of the pervading presence of the Great Being who controls all things, and of the accountability of men hereafter for violations of known duty, that, more, far more than any other principle or motive, tends to make men good citizens and useful members of society.

We may be assured, gentlemen, that without this living principle, all the contrivances of philosophy to resist the tendency to disorganization in the body politic, will be as ineffectual as they are proved to be in respect to the like tendency in our natural bodies.

I will add that the Christian religion is in harmony with the best schemes of philosophy and the truest interests of man. There is nothing, it is true, that is visionary or speculative about it. It maintains and enforces the perfect equality of all men in the sight of God, but with equal distinctness recognises the differences in condition, which bodily conformation and intellectual varieties must inevitably produce ; and it urges upon all men every where resignation and contentment with their lot, whatever it may be, without in the slightest degree checking the natural and proper desire for improvement. It contains a system of rules for the government of mankind, by which, if there were no other laws, society would be kept together, and which fills up all vacancies and supplies all defects. It is not, therefore, surprising that infidel opinions should generally be the companions of those wild doctrines respecting property and power, of which we have lately heard so much. Such has uniformly been the partnership in other countries besides this. The Christian religion cannot be true if those doctrines are sound ; and hence you will invariably find all thorough-going disorganizers in opposition to a religion which upholds the institutions of civil society.

I maintain therefore, gentlemen, that no system of education, whether primary or collegiate, can be complete and effectual for the purposes even of this life, unless it is connected with religious instruction, and impresses the latter more deeply upon the understanding, and unites it more closely to the feelings, than any merely human acquirement.

I may add, that to my apprehension *no* government, certainly no *republican* government is safe, which does not sedulously provide for, and insist upon this primary and fundamental duty; and which does not, by its functionaries, both legislative and executive, recognise, on every public occasion, and in every shape and method of acknowledgement, the essential and eternal truths of religion, and both by precept and practice inculcate an habitual and reverend regard for them.

This is an age, gentlemen, of great improvements in the physical world. The attention of mankind seems to be engrossed with devices for the successful use of the prodigious powers which they have obtained for the control of the material world: the acquisition of wealth is pursued with an eagerness and unscrupulousness, to which, I fear, no other age or country affords a parallel. Is it not to be apprehended that in this perpetual conversation with material elements, in this ceaseless contest for a sordid elevation, both the world of spirits and the finer workings of the moral sense may be lost sight of or unheeded? Is it not already too much the practice to weigh every thing by its probable issue or consequences in this world, without reference to the merit or demerit of the action, tried by the standard of religion and morals, and to disregard or be insensible to the light in which it may be viewed hereafter? Gentlemen, it is impossible that in the providence of God, immorality or irreligion in states and kingdoms can go unpunished in this world, where only retributive justice can be administered to communities.

One of the most beautiful of the poets of our own days, looking at the great and increasing dominion of man over the powers of nature, and in reference to some of the theories of political economy, has expressed a fervent but anxious hope, that the time may be at hand, when,

" Strengthened yet not dazzled by the might
 Of their dominion over nature gained,
 Men of all lands shall exercise the same,
 In due proportion to their country's need;
 Learning, though late, that all true glory rests,
 All praise, all safety and all happiness,
 Upon the MORAL LAW. Egyptian Thebes,
 Tyre by the margin of the sounding wave,
 Palmyra, central in the desert, fell;
 And the arts died, by which they had been raised.
 Call Archimedes from his buried tomb,
 Upon the plain of vanished Syracuse,
 And feelingly the sage shall make report,
 How insecure, how baseless in itself
 Is that philosophy, whose sway is framed
 For mere material instruments; how weak
 Those arts and high inventions, if unpropped
 By virtue."

Let me add to this a single paragraph from the parting counsel of that admirable man, who seems to me to have embodied in his perfect character all that was noble and elevated and virtuous and just, both of the classic and the Christian times.

"Of all the dispositions and habits which lead to political prosperity, religion and morality are the indispensable supports. In vain would that man claim the tribute of patriotism, who should labour to subvert these great pillars of human happiness, these firmest props of the duties of men and citizens. The mere politician, equally with the pious man, ought to respect and cherish them. A volume could not trace all their connexions with private and public felicity. Let it simply be asked where is the security for property, for reputation, for life, if the sense of religious obligation desert the oaths, which are the instrument of investigation in courts of justice? And let us with caution indulge the supposition that morality can be maintained without religion. Whatever may be conceded to the influence of refined education on minds of peculiar structure, reason and experience both forbid to expect that national morality can prevail in exclusion of religious principle."

Let it not be supposed from any thing I have said, that I consider a religious establishment in the sense in which those words are commonly understood, to be necessary or proper in any community. Far, very far from this is my humble view of the relative wants and strength of the church and the state. To my mind the church never derived any benefit from the aid of the temporal government; but I think it abundantly clear, from all experience, that it is impossible for any government, especially such a government as ours, to get on without the aid of the church; that is, without a due and controlling sense of religion in the minds and hearts of the people. I am entirely persuaded that there is not a single body of Christians in this country, however denominated, that desires any other alliance with the civil powers than exists at this moment, or asks any thing at its hands beyond simple protection for its edifices and worship. *No*, gentlemen, liberty has nothing to apprehend from religion, but every thing from the want of it. If ever the time shall come for this community when religion shall lose its hold upon the people, when the beautiful morality of the Gospel, its promises and its punishments, shall no longer be proclaimed from the pulpit; when those who make the laws and those who administer them shall alike be left to the dictates of unaided and untempered reason; then will the pillars of the social edifice be shaken down, and then, after a short and frightful delirium, such as was witnessed on the other side of the ocean during the frantic "age of reason," the throne will be erected on the ruins of the republic, with the aid, or at least the acquiescence of all who prefer the realities of life and property, to the worship of a false and meretricious idol.

Another defect in our system or scheme of instruction, as it strikes me, is the comparative inattention to historical studies. It is the peculiar characteristic of the mind of this country to be always looking ahead, and to

employ itself in speculations upon the probable destinies of the country. Where one man looks back to inquire into the experience of the old world, twenty reason and act as if there had been no world before this. This peculiarity of our national disposition is certainly not without its value, but, like many other good qualities in this age, it is pushed to an inconvenient extreme.

There is a sect of philosophers, so called, both in England and this country, who deny the value of historical examples, and maintain that the present age is so differently constituted from all that has gone before, as to render it useless to draw any conclusions from the past to the present. It would be a needless consumption of your time to enter into a formal confutation of this doctrine. No nation that ever existed, since the first gathering of men together, and none that may hereafter exist, can fail to profit by the experience of other nations; for such is history. In this respect nations and individuals are alike; and the common sense of mankind has condensed into a proverb its opinion of those who neglect to avail themselves of the experience of others.

It is, perhaps, from the want of a more thorough education in this respect that we find so many wild notions taking root here, which, in most other countries, would have perished for lack of sustenance. It is one of the mortifying circumstances for the pride of human intellect, to perceive, in the course of every generation, exploded theories picked up by some stray traveller over the field of knowledge, and passed off or set up again as originals, which are destined to work extraordinary changes on the face of society. These mistakes or crudities seem to be common to the physical and ethical sciences. About once or twice in a century some one invents or discovers the perpetual motion. Then comes a great stir in the world of philosophy. Old things are to be done away; new lights are to be burned; and the march

of mind is to receive its final glorification. Soon it is discovered that there is one thing wanting; that with every theoretical requisite the invention is practically wrong. There is a fundamental error which was not obvious to the mass of believers; and accordingly the bubble bursts, and nothing more is heard of perpetual motion until the next generation. So it is in medicine. Once, at least, in every century, somebody discovers a *panacea* for all the ailments of mortality. All the world takes it, and every disorder is cured. The inventor makes a fortune. Gradually it loses its virtues. Disease regains its natural empire, and the *panacea* passes off the stage, to be succeeded, in its turn, by some new invention to save life from the grave. Similar to these, in my mind, are some of the existing mistakes in the moral and political sciences. I have already alluded to one which prevails, with a portion of the political economists, respecting the religious and moral education of the people. A somewhat kindred theory, equally fruitful of errors and dangers, and equally contradicted by history, now occupies a considerable share of the public attention in this country. I allude to that scheme which opposes and denounces the prevailing division of the profits of labour, and the present appropriation of property; the champions of which school profess to found it upon the inherent right of every man to an equal share of the goods of this world. The answer to this, gentlemen, is, you are aware, not only very obvious and conclusive, but it has been made and acquiesced in, over and over again, in former times. Nothing is easier than to show that so long as freedom of action exists, and men are made by nature with different physical powers, and possess different dispositions and temperaments, the strong and the industrious, the intelligent and the temperate must necessarily and ought to be more prosperous and successful than those who are weak, or idle, or vicious; and will conse-

quently accumulate capital, and place themselves, after a while, beyond the necessity of manual labour. In this may be found the history of almost every man in this country who has acquired a competency. If society were divided into *castes*, or permanent classes, as is the case in some countries; if the journeyman could under no circumstances become an employer, nor the employing mechanic become a merchant or physician, there would be just cause of complaint. But with every occupation or calling open to every man, with laws and customs such as exist here, nothing can be imagined more favourable to the advancement and prosperity of the virtuous and industrious of every trade and calling.

Now, gentlemen, history proves that inequalities of income, and consequently in the enjoyment of the comforts and luxuries of this world, have existed in all ages, in all countries, and under all forms of government; and it equally shows that it is only by the force of *restrictive laws* that the natural tendency to the accumulation of capital has been checked. And what has been the result of those laws? Open the history of *Rome* for an answer and an example. Read in the convulsions and agony of that noble commonwealth, the lesson which is taught by the Agrarian code; and see, in the easy triumph of her military conqueror, the inevitable re-action. Do you wish for an instance of sincerity in the philosophers of that school? Take the case of *Licinius Stolo*, who flattered the people into the passage of a law which prohibited any citizen from holding more than five hundred acres of land; and who was the first person punished under it, having endeavoured to evade the law by conveying five hundred acres to his son, in trust for himself. Or, if a more illustrious example is wanted, take the instance of *Julius Cæsar* himself, who began his career of politics by proposing and carrying through a law for the more equal distribution of property! If the

instance of Rome is not sufficient, hear the language of Cicero on the subject of similar laws in Greece. “Ex eo tempore” (says the philosopher, speaking of the adoption of similar laws in *Lacedæmon*) “tantæ discordiæ secutæ sunt, ut et tyranni exsisterent, et optimatès exterminarentur, et præclarissime constituta res publica dilaberetur. Nec vero solum ipsa cecidit, sed etiam reliquam Græciam evertit contagionibus malorum, quæ à Lacedæmoniis profectæ manarunt latius.” With such evidence contained in it, of which instances might be multiplied, it is not surprising that the study of profane history should be as uninviting to the modern Agrarians as that of the Bible.

History has its lessons, gentlemen, for all classes and conditions. Those among us who are in possession of property, may derive from it important admonitions in respect to their interests and duties. They may learn, for instance, some truths with respect to what are called the rights of property, which may exercise a salutary influence over their actions. Our opinions on this subject are so much the creatures of habit, that it is difficult for us to conceive of a state of things, in which the right to hold property to any extent or amount, and to transmit it by deed or will to another, was not considered inherent and indefeasible. Yet history informs us that laws, such as I have already alluded to, designed to limit the amount of men’s possessions, and to control its transmission after their death, have been passed by highly civilized and enlightened communities. Is there any thing in our political arrangements, in the organization of our society, or the condition of our people, to prevent or render improbable the passage of such laws here? Remember that those who made our political constitutions can unmake them, and substitute provisions more in harmony with their immediate desires and present interests. I know of nothing to prevent this but the

force of reason, the sense of right, and the conviction that such a system, by driving away from the state all that kind of property which admitted of removal, and by rendering insecure the title to all that remained, would inflict a severe, perhaps a fatal wound upon the prosperity of all classes and conditions. To induce the people however to impose such restraint upon themselves they must be *educated*—*morally* and *religiously* taught and enlightened. This is the safeguard of property as well as of life, and the parent of that contentment, which, looking beyond the present state of existence, and satisfied with the temporal as well as religious reasons for the unequal distribution of happiness as well as property in this world, feels no wish to disturb the order or arrangements of civil society. It is the man of property therefore who has the deepest and widest interest in the moral and intellectual improvement of his fellow citizens; the poorest and humblest of whom, in the eye of the law, and by the provisions of the constitution, has equal rights and equal political power with himself. To my mind, men of this class cannot do too much for the promotion of all rational undertakings, having for their object the intellectual, moral and religious improvement of their fellow citizens. Were every man of property to appropriate a tenth of his income, and to devote half of his time to this purpose, he would, I am persuaded, only advance his worldly interests in the same proportion; and, I may add, that the force of example, in respect to religious observances and duties, cannot fail to be equally productive of good, both for those who are accustomed to regard with attention the acts and opinions of persons who are elevated in the scale of life, and for those persons themselves.

Another point in which it appears to me that education is defective in this country, is in respect to the constitution and laws of the land.

Consider for a moment, gentlemen, the theory and practice of our political system. Every man in this community, almost without an exception, is called upon to take a part in the government, at least once a year, by assisting in the choice of suitable persons to make the law which is to be his rule of action. Every man also is eligible to the office of legislator and governor. Now suppose a stranger to our institutions and habits to be informed of the scheme of government; would it not be the most natural thing in the world to suppose that the *sovereign* had an adequate knowledge of the law that he makes or mends? Yet how far from the fact would be this supposition! Of the great body of the electors, how many are there who have any acquaintance with the subject? And even in the legislative bodies, the number of persons, professionally or otherwise versed in the laws, bears no proportion to those who are ignorant of them.

I have already mentioned the remarkable provision in the early code of Pennsylvania, which declared that the laws should be taught in the schools. At *Rome*, in the time of the republic, this seems to have been the uniform practice, since we find Cicero saying, “discebamus enim pueri duodecim tabulas ut carmen necessarium.”

I am at a loss to know why the subject is not as fit to be taught in schools and colleges as other branches of knowledge. I have no idea that the heights or the depths of the law can be reached by any but those who pursue the study of it as a profession, any more than I suppose that the knowledge of chemistry acquired in the course of collegiate instruction can, without much further study, qualify the student to become a chemist. But I apprehend that it is practicable to prepare such a compendious view of the constitution and laws, both of the United States and of this commonwealth, as to convey to young men between the ages of ten and eigh-

teen years, a sufficient general knowledge of both. There is certainly nothing in the constitution, either of the United States or of Pennsylvania, that may not readily be understood and remembered. And although the laws of this state are to the common apprehension *rudis indigestaque moles*, yet they may easily be arranged into a few simple heads, and then the task of obtaining a general idea of their leading principles and rules cannot be considered an insuperable one, even for the pupils of the primary academies. In an institution like our University, greater extent and depth might be given to the study, in proportion to the age of the pupil, and without, it appears to me, interfering materially with a due attention to other studies.

I am convinced, gentlemen, that the study of the constitution and laws would be found a profitable addition to the existing subjects of general instruction; nay, that this is essential to a complete course of education for the citizens of the republic.

But it is not merely the knowledge of the law that I would have taught. There should, in my opinion, be inculcated with that knowledge, the most profound veneration for the law itself. The maxim or motto of the ancient monarchies of Europe was, "God and the King;" ours should be "Religion and the Law." In the former the king was the fountain of authority, and the author and the representative of the law itself; and as such, the spirit of the system taught that he was entitled to obedience and respect short only of what was due to the King of kings. With us *the law* is, or ought to be, *the sovereign*; and in all its parts, and on all occasions, is entitled to the most implicit and unvarying obedience, as the symbol and essence of the majesty of the people. Under a monarchical scheme of government, the chief magistrate may be a very wicked or a very incompetent person, or even both; yet so long as he is *de facto*

king, the government, the representative of that great power which must reside somewhere, is entitled to obedience in all and every point. And this is at least equally true of republican communities, whatever may be the opinion of individuals respecting the wisdom or justice of particular passages of the laws, or the defects of their administration. It appears to me, gentlemen, more necessary to dwell upon this point, because there have been of late years indications of a disposition, which no man, who considers the organization of society in this country, can avoid regarding as of the most fatal tendency for our peace and liberties. I allude to that disposition which has prevailed in many parts of this country, to inflict punishment or vengeance on supposed offenders through the agency of a mob. This is sometimes attempted to be justified under "the tyrant's plea, necessity;" and the justice thus administered is popularly called the "Lynch Law." There cannot, gentlemen, be a greater abuse of terms, than to apply those sacred words law and justice, to such unrighteous proceedings. The law is a rule of action made for the future government of the people, by the supreme authority; and justice is the administration of that law by persons appointed for the purpose, who act without fear, favour or affection. The vengeance of a mob is a violation of both. I firmly believe that unless this spirit is resolutely checked at once; unless signal and exemplary punishment is inflicted on all who are prominent in such excesses, and the majesty of the law is vindicated in a manner that will make a deep and abiding impression, the days of the republic are numbered. It is impossible that any system can stand such convulsions. They break in pieces the bonds of society, and restore the dominion of brute force. Not that the views and intentions of those who have heretofore been active in these proceedings were of a wicked or revolutionary character; and *here*, gentlemen, lies the great danger of the

example. Many of these tumultuary risings have been occasioned by an apparently good motive. Some offence has been committed which the law appears not to have sufficiently provided against, or the punishment of which is supposed to be unreasonably delayed. Some public inconvenience is experienced which there are no present means of removing ; and in such cases the remedy seems, to the superficial observer, to be warranted by the nature of the disease. It is an alarming sign of the times when excesses of this kind are vindicated, or even palliated by intelligent and conscientious men. When a crisis arrives in the affairs of a nation which renders the continuance of the ordinary action of the government inconsistent with liberty or security, then actual necessity justifies a recurrence to the original physical force of the people. But what is to become of a community in which revolutions are of frequent occurrence? Let those who look with complacency upon a single instance of the "Lynch Law," reflect upon the condition of society, the probable fate of property and life, if it should ever generally prevail. Let it be remembered that if popular violence is to be tolerated, because in the opinion of some persons it has removed evils which in the regular course of the law could not be easily or speedily eradicated, it is equally justifiable, when in the opinion of other persons there are evils of a different description which ought to be abated ; and as it follows that on such a subject there can be no common standard of opinion, so every man's notion of what is expedient or right will be the guide to him in administering the "Lynch Law." Suppose, for example, that there should be any persons in this community who hold the opinion with that disinterested Roman patriot whom I mentioned a few minutes ago, that property ought to be equally distributed, and are desirous of reducing the opinion to practice. They find, however, that the law of the land sanctions

and protects property, and that there is not much prospect of its being altered in a regular way. What then? If it is allowable for the people to pull down a place of worship, or to hang up a dozen individuals for supposed misdemeanours, there can be no crime in making equal the measure of human enjoyment. Upon this principle, those who have little, may obtain from those who have much; and by the application of that salutary vigour which has been justified in other cases, they may disperse these enormous accumulations of property, and thus “snatch a grace beyond the reach of art.” Nor gentlemen, would the holders of property, who may have tolerated the application of this remedy on other occasions, find much sympathy in their bereavement. The moment that the law is violated for any purpose, or under any pretence, and the violation is acquiesced in, its sanctity is gone, and through its broken arches and dilapidated walls the spoiler may enter upon the fairest portion of the heritage.

In no community in the world, gentlemen, are such things less to be endured than in this. Are the laws complained of? With our annual legislatures, in session nearly half the year; with universal suffrage in its broadest sense: what deficiency in legislation cannot soon be supplied? What evil cannot soon be removed? Is the administration of justice so defective, that although the laws may be good they cannot be put in operation without an inconvenient delay? Those who complain of this should consider whether this delay is inevitable, or the result of accidents which may be prevented. Remember that the ministers of justice are not a conquering army, which marches straight to its object with the greatest possible expedition, trampling down in its way every obstacle that may be interposed. Remember that there is nothing on earth easier than to decide a cause, whether it be of a civil or criminal nature; that if the

judges thought fit to accommodate themselves to popular notions of despatch, they might dispose of their business as rapidly as it was brought before them; provided always that they were not required to hear the evidence of the parties or the arguments of their counsel. It will be found, unless I am greatly mistaken, that in all ages of the world a complex code of laws, and delays in the administration of justice, have been very nearly in proportion with the freedom of the institutions, the degree of civilization, and the respect paid to individual rights. In some despotic countries, on the one hand, nothing can be more expeditious than the march of justice. She runs to the end, or rather jumps to the conclusion, with a degree of vigour and alacrity which resembles in these respects the administration of the "Lynch Law" here; furnishes an additional proof of the near relationship between the despotism of the one and the many; and surprises those who in England and this country are accustomed to her slow and measured steps. But then, gentlemen, we all know upon what terms, and under what circumstances the law is administered in such communities as that of Turkey: and few, who are acquainted with the operation, would be willing to exchange for it our own comparatively tedious process. It is well known that haste and speed are not synonymous terms; and the distinction is sometimes strikingly obvious to persons concerned in the profession of the law.

If, however, gentlemen, with all the allowances that I have alluded to, there should be greater delay in the administration of justice in this country than is reasonable or convenient, let those who complain of it or suffer by it consider where the blame ought to rest. Let them inquire whether the tenure of the judicial office is such as to insure competent judges during good behaviour; whether the compensation of those judges is such as to induce men of the highest professional abilities and learn-

ing to undertake the office and continue in it; or whether it is greatly below the standard of private income; whether appointments to the bench are made from considerations of the fitness of the individuals, morally and intellectually, for the lofty and sacred functions of the place, or from the sorry impulse of party politics; whether the records of the courts are kept, and the public business transacted by competent persons, who, as in England and most other countries, have acquired, by long continuance in office, experience and knowledge of practice, which facilitates greatly the despatch of business, or by political partizans appointed in conformity with the wretched doctrine of rotation in office; than which, nothing, to my mind, can be more anti-republican; since it supposes that offices were made for the benefit of individuals, and not for the convenience and advantage of the whole people. Other causes of delays and difficulties in the progress of remedial justice might be mentioned, but your time has been sufficiently occupied by this subject. My idea is, that a more general acquaintance with the laws of the land would serve to create a more fixed and permanent attachment to them, to account for apparent difficulties and explain inconvenient delays; while, at the same time, it would qualify men for the performance of their duties as citizens and legislators; and, it appears to me, that this knowledge may and ought to be acquired in the course of the education of youth.

Some of the motives and inducements, both for universal education and a higher standard of it than now prevails, have been suggested in the course of these remarks. Other reasons may be mentioned which arise out of the situation of the several states as members of the union. Our position, it should be remembered, is a novel and peculiar one. It is not sufficient that the citizens of one state should be provided with learning

and accomplishments adequate for their own purposes and views: we are members of a family of kindred states, alike in language and constitution, and in the main features of their habits; who are competitors for the great prizes of the general government, and whose own particular or local posts of honour, profit or distinction, are at the same time open to the competition of citizens of all the other states. Now, gentlemen, what are the inevitable results of this state of things? Why, certainly, if the theory of the constitution is carried out, and an equal chance is given to all, that state which bestows the best education upon her children will certainly reap all the rewards that political eminence can bestow, in the government of the union; and her citizens will as certainly be foremost even in the local contests of other states. The history of this nation furnishes abundant proof that this is not merely matter of speculation. The foreign business of the country, at least, must be managed by men of extended and various knowledge, to enable the government to meet other nations upon a footing of equality. Why is it that every president of the United States, excepting one, and every secretary of state and foreign ambassador, with scarcely an exception, has been taken from the bar; unless it be that eminence in that profession requires or implies an enlarged education? Why is it that so many natives of *New England* attain the highest places in the professions and in public life in this and other states? The answer is to be found in one word, *education*: and with the education *they* receive, not that of the primary schools alone, though that is sufficiently remarkable, but what they acquire at their colleges and universities, with their domestic and social training, they deserve all the success they have attained. Far be it, gentlemen, from any Pennsylvanian to think that such a neighbourhood and such competition can be otherwise than beneficial to us.

For my own part, I consider it a blessing and a consolation for these states that such a community as that of New England exists among us. With their sound, unexaggerated republicanism, their domestic virtues, their honest, earnest and patient industry, their deep sense of moral and religious duty, their devotion to the cause of universal and thorough education, they seem to me at once the strength and the light of the union, while they furnish the best examples of our English race.

Education then, gentlemen, in the sense in which I understand it, that is, the religious, moral and intellectual instruction of the people, of all conditions and ages, is, to my mind, the first duty, as it is the obvious interest of all; and important and beneficial as are the prevailing schemes for enlarging the sphere of physical communications and powers, they are insignificant in comparison with the internal improvement of the heart and mind!

Among the institutions of our country established for this purpose, no one is better calculated by local position, and other circumstances, to do good, than the University of Pennsylvania. The whole commonwealth has, for reasons which I will not repeat, political and economical motives for sustaining this Institution, and enlarging her powers and resources. We who are here assembled as her children and disciples, have, besides this common interest, the impulses of filial affection to induce us to lend her all the aid which our example and countenance can afford. Why should not this institution occupy a position and exert an influence similar to that of other states and countries? Where are the young men of the commonwealth who reside out of the city educated? Why should not the literary department of the University equal that of medicine; which, under the government, and by means of the instruction of the distinguished men who have adorned and elevated their professions,

has drawn so many students to this city, and sent forth so many learned and accomplished men ?

These are interesting questions, gentlemen, for us as philanthropists, as patriots and as citizens. What is wanting appears to me to be only a little public spirit in the community at large, and a small degree of liberality on the part of the men of wealth. If we feel an interest in the fortunes of our race—if we regard the earthly and eternal fate of those who are to succeed us—if we desire the preservation of our civil institutions, and the continuance of the existing order of things, we have every inducement to encourage and support that system of education which elevates the mind and purifies the heart, and from the study of the past and the contemplation of the present, extracts lessons of counsel and conduct for the future. If there be among us any love for our commonwealth, it should stir us up to exertions not to enrich merely, but to enlarge this Institution, to multiply its means of doing good, to render it popular every where within our borders ; so that not only the youth of the city, but those of the country may be attracted to it, and partake of the benefits and blessings of an enlarged education ; and that, as Pennsylvanians, we may not be compelled to blush at the comparison of our public men with those of other states. It has been too much the fashion in this city to send our young men elsewhere to complete their education. Perhaps there was a time when the means of the University were not adequate to the just demand of instruction. Under its present organization, I believe that the standard is as high, its professors as able and accomplished, and its facilities for instruction as great as those of any similar institution in other states. No one, then, need wander into foreign parts in quest of the tree of knowledge, while within this city is to be found all that can be generally desired for the complete and thorough education of youth. And

when it is considered that this is not to be sought at the risk of health or moral habits, but in the midst of a community, certainly as free from disorders, either moral or physical, as any other portion of the people, and enjoying every advantage which the possession of the largest literary and scientific collections on the continent can afford, may we not confidently hope that this University may become again the resort of the sons of our fellow citizens in other parts of the union, and the favourite, as it ought to be, of our own Pennsylvanians.